

Appln No. 10/622,221
Amdt date September 9, 2009
Reply to Office action of June 9, 2009

REMARKS/ARGUMENTS

In the Final rejection dated June 9, 2009, the Examiner rejected claims 1, 2, 4, 9-17, 19 and 22-29 under 35 U.S.C. §103(a) as allegedly obvious over Cox, et al. (U.S. Patent No. 6,161,543) in view of Whayne, et al. (U.S. Patent No. 6,203,525). In making this rejection, the Examiner suggested that Applicant "consider amending the claim[s] such that the recited angle is with respect to a particular portion of the catheter," and noted that Applicant has not "claimed a longitudinal axis." Office action, pages 8-9. In response, Applicant has amended independent claims 1 and 17 to recite a pre-formed generally heel-shaped curve comprising a first bend away from a *longitudinal* axis of the catheter body and a second bend back toward and past the *longitudinal* axis of the catheter body, and that the generally straight distal end forms an angle with the *longitudinal* axis of the catheter body ranging from about 75° to about 110°. Neither Cox nor Whayne teach or suggest these features. Accordingly, independent claims 1 and 17, and all claims dependent therefrom, including claims 2, 4, 9-16, 19 and 22-29, are allowable over Cox and Whayne.

The Examiner also rejected claims 30-32 under 35 U.S.C. §103(a) as allegedly obvious over Cox and Whayne in view of one or more of Fung, et al. (U.S. Patent No. 6,129,476) and Swanson, et al. (U.S. Patent No. 5,961,513). However, each of claims 30-32 depend from one of independent claims 1 and 17, both of which are allowable over Cox and Whayne, as discussed above. Neither Fung nor Swanson remedy the deficiencies of Cox and Whayne as neither reference teaches or suggests the catheters recited in independent claims 1 and 17. Therefore, independent claims 1 and 17, and all claims dependent therefrom, including claims 30-32, are allowable over Cox, Whayne, Fung and Swanson.

Claims 1, 2, 4, 9-17, 19 and 22-32 now remain pending in this application. By this amendment, Applicant has amended claims 1 and 17. The amendments find full support in the original specification, claims and drawings, and no new matter is presented. In view of the above amendments and remarks, Applicant submits that all of pending claims 1, 2, 4, 9-17, 19 and 22-32 are in condition for allowance. Applicant therefore respectfully requests a timely

**Appln No. 10/622,221
Amdt date September 9, 2009
Reply to Office action of June 9, 2009**

indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Lauren E. Schneider
Reg. No. 63,712
626/795-9900

LES/les

LES PAS866293.1-*.09/9/09 12:40 PM